

**Department Of Mental Retardation  
Office of Quality Management  
Office of Quality Enhancement**

**PROTOCOL WHERE THERE IS A CHANGE IN PROVIDER AND/OR SERVICE**

**Purpose:**

The purpose of the protocol is to define the role of the Office of Quality Enhancement (OQE) when there is a change in provider and/or service.

**Protocol:**

**A. CIRCUMSTANCE: A LICENSED PROVIDER RELOCATES AN EXISTING HOME OR WORK/DAY SERVICE**

**Role of Operations**

Inform OQE that the site will be relocating.

**Role of Provider**

Inform OQE of the relocation and work with OQE to complete the Site Feasibility Assessment and Approval to Occupy process (when required).

**Role of OQE**

OQE will conduct the Site Feasibility Assessment and Pre-placement Approval process and issue final Approval to Occupy, when applicable.

While OQE approval to occupy is not required for individuals who own or lease their own homes or apartments, in homes where individuals receive less than 24 hour support, in supported work locations or home providers, OQE staff are available for consultation and support in choosing appropriate locations.

A full survey is not conducted at the time of the move because the provider is already considered licensed for this service. The Approval to Occupy attests to the safety and appropriateness of the new location. A new license is not required. OQE will review these supports and services as part of the agency review at the next scheduled survey.

**B. CIRCUMSTANCE: A LICENSED PROVIDER CHANGES AN EXISTING SUPPORT TO A DIFFERENT "PROGRAM MODEL" WITHIN THE SAME OVERALL SERVICE AND THE LOCATION STAYS THE SAME**

Examples: A 24 hour living situation is changed to a less than 24 hour living situation.

An employment supports model is changed to a CBDS situation.

### **Role of Operations**

Area and Regional Directors approve the decision to change the program model. They also review and approve the location specific safety plan that the provider is required to submit to the Area Director.

### **Role of Provider**

The provider is responsible for developing a location specific safety plan and submitting it to the Area Director for review and approval.

### **Role of OQE**

OQE staff will not visit the home or work site, but will be available for technical assistance. A new license is not required. OQE will review these supports and services as part of the agency review during the next scheduled survey.

## **C. CIRCUMSTANCE: LICENSED PROVIDER CHANGES THE CAPACITY OF AN EXISTING SERVICE<sup>1</sup>**

Example: A home operating as a 24 hour support changes from 3 to 4 people.

### **Role of Operations**

Operations has the primary responsibility for reviewing and approving the decision for an individual or individuals to move into a home. However, the decision must be consistent with DMR regulations in areas such as staffing, size of bedrooms, safety issues, quality of life indicators, and the ISP.

The Area Director will review and approve the location specific safety plan submitted by the provider.

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<sup>1</sup> Where the provider seeks to expand the capacity of a home beyond four individuals, a petition to waiver 115 CMR 7.05 (Capacity) must be submitted to the Regional QE Office.

### **Role of Provider**

The provider is responsible for submitting a location specific safety plan to the Area Director for review and approval.

### **Role of OQE**

OQE will complete a new approval to occupy for the increase in capacity. No new license is required. OQE will review these supports and services as part of the agency review during the next scheduled survey.

- D. CIRCUMSTANCE: A LICENSED PROVIDER HAS A HOME WHERE ONE OR MORE PEOPLE MOVE OUT AND OTHERS MOVE IN; THERE IS NO CHANGE IN THE NUMBER OF PEOPLE LIVING IN THE HOME**

### **Role of Operations**

Operations has the primary responsibility for reviewing and approving the decision for an individual(s) to move into a home. The decision must be consistent with DMR regulations in areas such as staffing, size of bedrooms, safety issues, quality of life indicators and the ISP. The Area Director will review and approve the location specific safety plan submitted by the provider.

### **Role of Provider**

The provider is responsible for submitting a location specific safety plan to the Area Director for review and approval.

### **Role of OQE**

OQE staff do not need to visit the home. It is not necessary to issue a new license or conduct a survey since the provider is already licensed for the service. OQE will review these supports and services as part of the agency review during the next scheduled survey.

**E. CIRCUMSTANCE: A LICENSED PROVIDER TAKES OVER AN EXISTING SERVICE IN A CATEGORY THAT IT HAD NOT BEEN CERTIFIED TO PROVIDE IN THE PAST**

Example: A work provider starts a residential support.

**Role of Operations**

Inform OQE that the provider has started a new category of service.

**Role of Provider**

Inform OQE that they have started a new category of service.

**Role of OQE**

OQE will conduct a Safeguards Systems Review of the new services within 60 days that focuses on Quality of Life Areas Rights and Dignity and Personal Well-Being.

If the Provider is scheduled to have their licensing survey conducted within 90 days, OQE will conduct a full review of all services at that time in lieu of the Safeguards Systems Review.

If, as a result of the change in provider, there will be a relocation of individuals, OQE will be involved in site feasibility and approval to occupy, when applicable.

**F. CIRCUMSTANCE: A LICENSED PROVIDER TAKES OVER AN EXISTING SERVICE AND THE FOLLOWING CONDITION EXISTS:  
It is necessary to terminate one provider's contract with or without cause for reasons other than the normal RFR process, and transfer the services to this provider.**

**Role of Operations**

Operations will inform OQE regarding the need for an Immediate Transfer Review. In addition, Operations may also request a Safeguards System Review at 60 days if they make a determination that this may be warranted.

**Role of OQE**

OQE will conduct an Immediate Transfer Review with the successor provider within the first seven days of the transfer.

If recommended by the Area Office, OQE will also conduct a Safeguards System Review within 60 days.

If, as a result of the change in provider, there will be a relocation of individuals, OQE will be involved in site feasibility and approval to occupy, when applicable.

**G. CIRCUMSTANCE: A PROVIDER NEW TO DMR BEGINS A NEW SERVICE**

**Role of Operations**

Operations should notify OQE of the new provider.

**Role of Provider**

The new provider will be required to apply for licensure/certification at the time they are awarded the contract.

**Role of OQE**

OQE will conduct a Safeguards System Review within 60 days that focuses on Quality of Life Areas Rights and Dignity and Personal Well-Being.

OQE will conduct a full licensure/certification survey within six months of the Safeguards System Review.